S.B. CIVIL WRIT PETITION NO.2823/2007.

Balram Vs. Mukesh Chand and ors.

Date of order : 19/4/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri R.K. Mathur for the petitioner.
Shri Ashok Gaur for the respondents.

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Having heard learned counsel for the parties and perusing the materials placed on record, I find that order of eviction of the petitioner has been passed by the learned Rent Tribunal Alwar dated 23/8/2006 on the ground of personal bonafide necessity of the respondent-landlord which has been affirmed by the learned Rent Appellate Tribunal, Alwar vide judgment dated 7/3/2007. On perusal of these two orders, I do not find that any of the orders on the face of it suffers from any such infirmity so as to call for any interference by this Court under writ jurisdiction of Article 227 of the

Constitution of India.

At this stage, the learned counsel for the petitioner prayed that since the petitioner is in possession of the suit premises for last 38 years where he is running the flour mill, he should be allowed a reasonable time to vacate the premises.

In the facts and circumstances of the case, I find it appropriate to allow the petitioner the time to vacate the suit premises by 31/3/2008 subject to his furnishing Undertaking to this effect within two weeks before the Rent Tribunal.

With these observations and directions, the writ petition is disposed of.

(MOHAMMAD RAFIQ), J.

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